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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

September 26, 1995

By Hand

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Washington, DC 20554

DOCKET FILE COPY ORIGINAL

Re: MM Docket No. 95-90

Dear Mr. Caton:

On behalf of Capital Cities/ABC, Inc., transmitted herewith for filing with the Commission are an original and five copies of its Reply Comments in MM Docket No. 95-90.

Please contact me if the Commission has any questions about this filing.

Sincerely,



Sam Antar

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Enclosures

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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
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SEP 27 1995

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

In the Matter of )  
 )  
Review of the Commission's ) MM Docket No. 95-90  
Regulations Governing Broadcast )  
Television Advertising )

DOCKET FILE COPY ORIGINAL

REPLY COMMENTS OF CAPITAL CITIES/ABC, INC.

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September 26, 1995

## TABLE OF CONTENTS

	<u>Page</u>
ARGUMENT.....	2
1. Commenters Who Oppose Repeal Base Their Argument on Insupportable Assertions of "Network Power" And Ignore the Increasing Concentration of Power In The Hands of a Few Powerful Station Representation Firms.....	2
2. Networks Lack the Power To Control Pricing in the National Advertising Marketplace.....	4
3. Networks Lack the Power To Coerce Affiliates To Accept Them As Their Representatives.....	6
4. The Repeal of Fin-Syn and PTAR Is No Reason To Defer Action on Repeal of 73.658(h) and 73.658(i)....	8
5. Allowing Networks the Opportunity to Represent Their Affiliates Would Enhance Competition In The Shrinking Station Representation Market.....	9
CONCLUSION.....	13

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

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To: The Commission

**REPLY COMMENTS OF CAPITAL CITIES/ABC, INC.**

Capital Cities/ABC, Inc. ("Capital Cities/ABC") submits these reply comments in response to the comments filed in the Commission's Notice of Proposed Rulemaking ("NPRM" or "Notice") in MM Docket No. 95-90, released June 14, 1995 in which the Commission examines whether it should repeal section 73.658(i) of the Commission's rules, which prohibits networks from representing non-owned affiliates in the sale of non-network advertising time, and section 73.658(h), which prohibits networks from influencing or controlling rates charged by affiliates for non-network advertising time.

## ARGUMENT

1. Commenters Who Oppose Repeal Base Their Argument on Insupportable Assertions of "Network Power" And Ignore the Increasing Concentration of Power In The Hands of a Few Powerful Station Representation Firms.

Commenters who oppose repeal of the two rules contend that they are necessary to promote competition in the national advertising market and to preserve affiliate programming autonomy. The arguments they offer in support of this position hinge on two factual assertions about "network power," neither of which can withstand scrutiny under current marketplace conditions.

The first assertion is that the traditional networks have such dominance in the national advertising market that elimination of the rules would lead to a concentration of power over the pricing and supply of national advertising.<sup>1</sup> The second assertion is that the traditional networks have such power over their affiliates that elimination of the rules would result in coercion of affiliates to switch to network representation firms which would in turn drive non-network representation firms out of business and deprive affiliates of

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<sup>1</sup> See, e.g., Comments of the Station Representatives Association ("Station Rep Comments") at pp. 10-15; Comments of the CBS Television Networks Affiliates Association and the ABC Television Network Affiliates Association ("Affiliate Comments") at p. 3; Comments of the Broadcasters Coalition at pp. 8-10.

the benefit of objective programming advice that these firms offer.<sup>2</sup>

Some commenters urge the Commission to defer consideration of any changes in network rules because the repeal of the fin-syn and PTAR rules have increased network power over affiliates.<sup>3</sup> Here, too, the argument comes down to a talismanic invocation of "network power" as the justification for continuing restraints on the traditional networks' business activities

Those who would reject any change in the rules not only fail to recognize the lack of concentration and absence of any network power in the advertising media marketplace; they also fail to even acknowledge the dramatic consolidation and marked concentration of power in the station representation marketplace. Just last week, it was reported that of the five remaining major national rep firms that we identified in our opening comments, two -- Blair and MMT -- are about to be taken over by two of the other mega-firms. The disappearance of these two firms as independent entities would further shrink an already shrunken national rep market, making it clearer than ever before that the entry of potential new network-owned competitors into the national spot

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<sup>2</sup> See, e.g., Station Rep Comments at pp. 15-18; Affiliate Comments at pp. 4-6; Comments of the Broadcasters Coalition at pp. 7-8; Comments of Media Access Project at 8-10.

<sup>3</sup> See, e.g., Affiliate Comments at pp. 4-5; Comments of Media Access Project at 3. Accord Comments of Meredith Corporation at pp. 1-2; Comments of AFLAC Broadcast Group, Inc. at pp. 2-4.

representation business would enhance rather than impede competition in that market

2. Networks Lack the Power To Control Pricing in the National Advertising Marketplace.

As we showed in our initial comments in this proceeding,<sup>4</sup> the current national advertising marketplace is so broad and unconcentrated that no network could achieve a position of dominance that would enable it either unilaterally or in collusion with its affiliates, to successfully raise prices above competitive levels.

The Economists, Inc. analysis of the national advertising market cited in our comments demonstrates that at a minimum the national advertising market should include all video media -- broadcast network, national spot broadcast, barter syndication, cable network and national spot cable. Under that market definition, concentration in the advertising marketplace as measured in 1993 by the Herfindahl-Hirschman Index ("HHI") (the sum of the squared market shares of each firm in the market) is well below 1,000 -- a level too low to warrant even further investigation for anticompetitive effects, under the United States Department of Justice/Federal Trade Commission 1992 Merger Guidelines.

Moreover, there is strong evidence that the national advertising market is much broader than video media alone.

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<sup>4</sup> See opening Comments of Capital Cities/ABC at pp. 4-12.

For example, radio, newspapers and magazines are effective vehicles for reaching a national group of prospective customers. When nonvideo national advertising outlets are taken into account, the level of concentration in the national advertising marketplace as measured by the HHI drops to under 200.

In addition to the lack of concentration in the national ad market, collusion in the national advertising market is extremely unlikely for another reason. The complexity and variety of station and network advertising price structures would make it difficult if not impossible for a network and its affiliates to negotiate, monitor and enforce an agreement to set their collective prices above competitive levels.<sup>5</sup>

The Station Representatives Association submits with its comments an essay by Frederick R. Warren-Boulton, which advances the speculation that elimination of one or both of the relevant rules could raise network or national spot advertising rates if -- considering network and national spot as separate, but closely related markets -- a network had market power in national spot and networks controlled their affiliates' spot rates in many or most markets. It suffices for present purposes to note that (i) as we have shown, network and national spot are part of a larger national advertising market, and (ii) the essay presents no evidence that the market-power and other conditions for the application

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<sup>5</sup> See opening comments of Capital Cities/ABC at pp. 12-13.

of its theory exist or are likely to exist in the relevant markets.

3. Networks Lack the Power To Coerce Affiliates To Accept Them As Their Representatives.

As we showed in our opening comments,<sup>6</sup> the rise of new networks and the competition for affiliates has irrevocably changed the bargaining equation between a network and its affiliates. Simply put, no network today enjoys significant market power over station outlets. The alternative of affiliation with other networks provides a powerful check on any attempt by a network to use its affiliation as a way to pressure a station to do what is not in its own best interest. The financial rewards of operation as a Fox affiliate are increasingly comparable to those of operation as an affiliate of ABC, CBS or NBC. And the result is an unparalleled number of affiliation switches. Since May 1994, some 68 television stations in 37 local markets have changed affiliations. This heightened competition for affiliates has caused an increase in network compensation to affiliates on the order of \$200 million or more.

These facts rebut any suggestion that affiliates operate at the mercy of their networks. While it is undoubtedly true that affiliates need the ready supply of proven programming a network provides, it is equally true that a network needs an

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<sup>6</sup> See opening Comments of Capital Cities/ABC at pp. 14-17.

effective outlet in substantially all local markets, particularly since the network's ability to offer advertisers full nationwide coverage is a critical advantage in competing against media (such as cable networks) that cannot offer advertisers the same benefit. Given these marketplace facts of life, the notion that networks have the power to force affiliates to choose them as their spot reps or to dictate the spot prices of the stations they represent is baseless and entirely outdated.

The CBS and ABC affiliate associations say that repeal would enable network rep firms to drive incumbent rep firms out of business. At its core, this concern is based on the very same premise of network power. As we have shown, the network power premise is at odds with the overwhelming marketplace evidence. In light of that evidence, it strains credulity to suggest that network entry will lead to the destruction of powerful incumbents such as Katz, Cox and Petry, each of which will represent 100 to 400 client stations and take in over \$1 billion in annual billings after the upcoming consolidations.<sup>7</sup> Therefore, the concern of the associations should be dismissed as speculative and unfounded.

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<sup>7</sup> See opening Comments of Capital Cities/ABC at 21-22 and sources cited therein; Variety, September 18-24, 1995, p. 108.

4. The Repeal of Fin-Syn and PTAR Is No Reason To  
Defer Action on Repeal of 73.658(h) and 73.658(i).

The "go slow" approach urged upon the Commission by some commenters is also based on "network power" -- the prediction that the elimination of the financial syndication and prime time access rules will increase network power over affiliates.<sup>8</sup> Such an approach is wrongheaded because the prediction of enhanced network power and abuse is entirely speculative and flies in the face of the Commission's explicit findings in both the fin-syn and PTAR proceedings that, in today's marketplace, repeal of the rules would not lead to anticompetitive conduct or threaten diversity. The Commission found that network power has declined to the point that the fin-syn and PTAR rules are no longer necessary -- if indeed, they were ever necessary -- to protect competition and diversity. In eliminating the fin-syn rules, the Commission concluded that "the development of competitive conditions in program production and distribution markets and the decline of network dominance warranted the total repeal of the rules."<sup>9</sup> And, in its report and order repealing PTAR, the Commission found that "the three major networks do not dominate the markets relevant to PTAR" and that the rule is not warranted

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<sup>8</sup> See footnote 3 above.

<sup>9</sup> In re Review of the Syndication and Financial Interest Rules, Sections 73.659 - 73.663 of the Commission's Rules, MM Docket No. 95-39, Report and Order released September 6, 1995, at 9.

"as a means of ... safeguarding affiliate autonomy."<sup>10</sup> Thus, if, as we have shown, retention of the network representation rule cannot be justified based on current market conditions in the national advertising marketplace, the fears expressed about potential future network misconduct do not provide a rational basis for the rule's retention.

5. Allowing Networks the Opportunity to Represent Their Affiliates Would Enhance Competition In The Shrinking Station Representation Market.

Elimination of the rules at issue here will serve the public interest by increasing competition in the sales rep business. As we reported in our opening comments,<sup>11</sup> this business is now dominated by a small and shrinking number of large firms with their own potential conflicts of interest in both the sales and programming arenas because of their frequent representation of several competing outlets for national spot advertising in a single market.

In our opening comments we described a growing trend of consolidation within the national rep industry. We reported then that, as a result of mergers and acquisitions among major national rep firms over the past few years, there were only five major, full-service nonspecialty national advertising rep

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<sup>10</sup> In re Review of the Prime Time Access Rule, Section 73.658(k) of the Commission's Rules, MM Docket No. 94-123, Report and Order released July 31, 1995, at 3.

<sup>11</sup> See opening Comments of Capital Cities/ABC at 19-25.

firm companies left in the market (other than rep firms representing their company-owned stations): Katz-Seltel-UTN with about 356 stations, Telerep-HRP with about 121, Petry with about 114, Blair with about 139, and MMT with about 21. We predicted that this process of consolidation was far from over.

This point has been dramatically underscored in the few weeks since our opening comments. In that short time, two of the five remaining national sales rep giants, Petry and Cox, have announced plans to take over two of the others, Blair and MMT. According to an article in the September 18, 1995 issue of Broadcasting and Cable attached hereto,<sup>12</sup> Petry, with its roughly 115 station clients and \$1 billion in annual spot television billings, is expected soon to acquire Blair, with its roughly 130 stations and \$800 million in annual billings. Meanwhile, Cox -- already the owner of Telerep and (since 1994) HRP -- plans to acquire, absorb and then dissolve MMT. As stated in a September 18-24, 1995 Variety article headlined "REP UNIVERSE SHRINKS,"<sup>13</sup> a copy of which is also attached hereto:

Not too long ago, there were some 20-odd station rep firms. Soon there will be three. . . . When the consolidation is over, all three firms -- Katz, Seltel and Petry -- will have annual billings in the \$1 billion range.

(Emphasis added.)

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<sup>12</sup> Id. at p. 11.

<sup>13</sup> Id. at 108.

The increasing consolidation of the national rep business also means that the three remaining mega-firms will increasingly represent two or even three broadcast stations that compete in a single market for the same national spot advertising dollars. Broadcasting & Cable reports that Cox plans to distribute the roughly 30 station clients it will gain when it acquires MMT (should those stations choose to remain with Cox) among its existing station rep businesses, Telerep and HRP, and a third Cox rep division yet to be formed to address conflicts in markets such as Sacramento and Chicago, where Telerep and HRP already represent one station each. In these markets, should Cox's plans be realized, the company's various divisions will now represent not two but three different television stations that compete against each other for the same national spot advertising dollars. As Variety reports: "What all this means is that it's possible one or two companies will service markets where there are five stations."

Given this increasingly consolidated national rep marketplace, it is difficult to understand the contention that the entry of network companies into the national rep field would diminish competition in that industry, "eviscerate" the independent rep firms, or create an intolerable conflict of interest for network-owned rep firms.<sup>14</sup> In fact, eliminating

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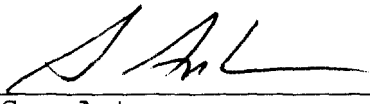
<sup>14</sup> See, e.g., Station Rep Comments at pp. 15-28; Affiliate Comments at pp. 1, 4.

the bar to the networks entering the increasingly consolidated national rep business would enhance competition and ultimately benefit television stations by offering them a greater variety of rep services. With the current rules eliminated, affiliated stations could choose to avail themselves of high-quality representation services from network-owned firms where, for example, the incumbent rep firms have conflicting allegiances to other outlets for national spot advertising in the same market. Affiliates who choose to be represented by a network rep firm are in no way compromised in their ability to make independent judgments concerning programming because there is nothing that compels them to rely on their rep firm for programming advice.

**CONCLUSION**

For the reasons stated above and in our opening comments dated August 28, 1995, Capital Cities/ABC urges that the Commission repeal both the network representation rule and the network control of advertising rates rule.

Respectfully submitted

By:   
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September 26, 1995

SEPTEMBER 18 - 24, 1995 ■ PAGE 108

# REP UNIVERSE SHRINKS

By JOE FLINT

Not too long ago, there were some 20-odd station rep firms. Soon there will be three.

That's despite the fact that there are a lot more TV stations on the air now than there were 20 years ago with more programming and more time to sell. As the business gets bigger, the rep biz gets smaller.

Petry is in talks to acquire Blair and MMT is expected to be bought out and shut down by Cox Enterprises. As a result, most of MMT's stations will be absorbed by Cox — but not the staff, including well-known vice president/programming director **Matt Shapiro**. Cox already owns TeleRep, which several months ago acquired HRP and also reduced staff.

Katz started the wave of consolidation some three years ago when it bought Seltel Inc. However, those two companies still maintain separate offices and staffs. When the consolidation is

over, all three firms — Katz, Seltel and Petry — will have annual billings in the \$1 billion-range.

What all this means is that it's possible one or two companies will service markets where there are five stations. Besides selling national spots for stations, reps are key advisers on programming decisions as well as consulting on several other areas of the business, which has station operators not too crazy

have kept their businesses completely separate. To emphasize the competition, Johns points out that Seltel recently lured away some Katz stations into their fold.

"To me, Katz is one of my competitors," he explains. "By the same token, if Katz gets a big station, it helps the corporate company."

Another trend having an impact on the rep business is large group owners taking care of the rep end of the business themselves. Group W has always represented its own stations, as have CBS and CapCities/ABC. Adding to that list are Chris Craft and New World, which have their own inhouse rep businesses that drain more business from the traditional rep firms.

"On the surface, the fact that there are more stations on the air should mean more business for reps," **Farrell Reynolds**, head of New World Sales & Marketing, says. "But there is not more viewership going on. Any time the audience gets

fragmented, it is a problem for all of the vendors in the marketplace."

Station groups seem willing to accept a world of three rep firms. But advertisers have yet to weigh in on the idea.

"This is a business where the dominant party survives," says **Alan Bell**, president, Freedom Broadcasting. "Everyone else is a footnote to history."



about the rep consolidation. But they understand it has to happen. Indeed, as the industry has grown, it has given large broadcast groups the power to put downward pressure on commission rates. "Profit margins dropped dramatically," says Seltel executive vice president/chief operating officer **Ray Johns**, who adds that there will be "three monster rep firms."

Katz and Seltel, Johns says,

## FOUCE LIKES CONDITIONS, PUTS KRCA ON MARKET

Another TV station owner wants to tap the market as it nears its peak. Fouce Amusement Enterprises, owner of **KRCA** Channel 62 in Los Angeles, has retained **Furman Selz** to sell the station.

"We are reacting to what we have seen going on in the market," **KRCA** station manager **Thomas Fouce** says.

Fouce, which acquired the station about five years ago, upgraded its facilities to allow for superstation and multimedia facilities. Observers say those facilities may make the station attractive to a group like **ITT/Dow Jones**, which recently acquired **WNYC** in New York and has talked about converting it into a superstation.

—Martin Peers

Advertisement

## NEWS FROM THE EUROPEAN TV MARKET

**WE'VE INVESTED A LOT IN OUR PRIMETIME LINEUP IN THE COMING SEASON — PRIMARLY WITH OUR AMERICAN PARTNERS.**

While we continue to increase our commissioned programming locally, American sitcoms, made-for, features, miniseries and dramas are key to the strategy that has

ers will find irresistible: 'The Margaret Cammermeyer Story', 'Death Becomes Her', 'In the Line of Fire', 'Bram Stoker's Dracula', 'A River Runs Through It' and

EDERM:O ED ERIB Y

## 'BLESS'S MESS

"Bless This House" is doubly cursed. First, CBS gave the rookie sitcom a critical anchor spot with no protection in a time period the web has been unable to fill successfully

# TW/Turner deal expected this week

*HBO to be folded into TBS, Sports South into Liberty*

By Steve McClellan

The \$8 billion stock-swap deal hadn't been done by midday Friday, but the key parties involved were optimistic that Time Warner and Turner Broadcasting System would sign an agreement this week to merge their companies, creating the world's largest entertainment conglomerate.

Sources say TBS Chairman Ted Turner will continue to run TBS from Atlanta as an operating unit of Time Warner, with one additional key asset: HBO will be folded into TBS. TCI is expected to pick up one TBS programming asset: Sports South, which will be folded into the Liberty Sports holdings.

At deadline, the issue of who would be Turner's number-two executive and day-to-day manager of TBS had not been resolved. Time Warner Chief Executive Gerald Levin wants to install Warner Music Group and HBO Chairman Michael Fuchs at TBS under Turner, but for Fuchs that would mean giving up control of Warner Music. He is said to be strongly resisting that move.

Sources at the companies were not

ruling out Terrence McGuirk's retaining his position as the number-two executive at TBS. But there are other Time Warner candidates, including Jeffrey Bewkes, who now runs HBO.

As part of the deal TBS will get two seats on the Time Warner board: Ted Turner will fill one, and sources say TCI President John Malone will fill the other. Malone had been holding out for a seat of his own—not one that Turner would designate—but Time Warner refused.

Malone owns 21% of TBS, sits on the Turner board and has de facto veto power over the TBS/Time Warner alliance. Meeting Malone's ever-increasing demands during the past two weeks has been Levin's key challenge since coming to a general agreement with TBS Chairman Turner. A potential deal killer: a demand by Malone that a Time Warner "poison pill" be waived for TCI in the event the latter's interest in Time Warner exceeds 15%. The poison pill clause states that anyone seeking control of Time Warner has to pay cash for the company or be restricted to a 15% interest or less. Malone has dropped his demand for the waiver.

## Petry buying Blair, Cox buying MMT

By Steve McClellan

With the proposed sales of Blair Communications and MMT, the television rep business will mirror the consolidation of its radio counterpart, with three major entities the dominant competitors for TV clients: Cox (Telerep, HRP), Petry (Blair) and Katz (Seltel).

Announcements are expected this week that Petry will buy Blair from Prudential Insurance for approximately \$25 million, and Cox Broadcasting will buy MMT from its manager-owners (with Meredith Broadcasting a major

financial backer) for about \$15 million. MMT effectively is being dissolved, while Blair will be operated as a wholly owned and separate subsidiary of Petry. Blair chief executive Tim McAuliff is expected to continue in that role, reporting to Thomas Burchill, chairman, CEO and principal owner of Petry.

The consolidation is necessary for the rep business to survive, say sources among the reps involved as well as many of their clients, because costs of doing business continue to rise, while commission rates remain constant (in the 5%-10% range). And unlike the sta-

## Time Warner/ Turner tops in revenue

### 1 TIME WARNER

\$18.71 billion (REV.) \$196.64 million (O.P.)  
(includes Turner Broadcasting System)

### 2 The Walt Disney Company

\$16.44 billion (REV.) \$3.2 billion (O.P.)  
(includes 20 Cities/ABC)

### 3 VIACOM

\$10.12 billion (REV.) \$1.79 billion (O.P.)

### 4 News Corp. Ltd.

\$7.03 billion (REV.)  
\$1.26 billion (O.P.)



### 5 SONY

\$7.61 billion (REV.) \$243.45 million (O.P.)

### 6 TCI

\$4.94 billion (REV.) \$788 million (O.P.)

### 7 Seagram Co. Ltd.

\$4.82 billion (REV.) NA (O.P.)  
(includes MCA)

### 8 Westinghouse- CBS Inc.

\$4.63 billion (REV.)  
\$629.2 million (O.P.)



### 9 Gannett Co. Inc.

\$4.45 billion (REV.)  
\$1 billion (O.P.)  
(includes Multimedia)

### 10 General Electric

\$3.34 billion (REV.)  
\$500 million (O.P.)



### 11 COX ENTERTAINMENT INC.

\$2.94 billion (REV.) \$204.1 million (O.P.)

### 12 The Washington Post

\$1.61 billion (REV.) \$297 million (O.P.)

REV. = 1994 company revenue  
O.P. = 1994 operating profit

tion business, profit margins are low.

Petry has roughly 115 station clients and some \$1 billion in annual spot television billings, while Blair has approximately 130 station clients and some \$800 million in annual billings. Sources say Petry will bring in New York-based Sandler Capital as minority equity partner to help finance the deal. There also is speculation that Petry may go public after acquiring Blair, but sources at Petry downplay that speculation.

Cox will add MMT to its rep holdings, which include Telerep and HRP. According to sources, most of the approximately 30 MMT stations

(including the Meridian, McGraw-Hill, Gaylord and Media General groups) will be divided between Telerep and HRP. Sources cautioned that Cox was still negotiating with key MMT group and station clients at deadline last week.

Sources also say that Cox will form a new, separate rep division consisting of the Renaissance station group and several other MMT independent stations. The new division is being formed to address conflict in markets where Telerep and HRP already have clients, such as Sacramento, where Renaissance owns station KTVU, say sources. Another market posing the

same issue for Cox is Chicago, where MMT reps independent WPWR-TV and where Telerep and HRP already have stations. Cox has proposed putting WPWR-TV in the new division with Renaissance, but sources say the independent was still mulling options.

It was unclear last week whether MMT Chairman Jack Oken would remain with Cox. But sources confirmed that Matt Shapiro, vice president, programming, MMT, would not have a role at the reps under the Cox umbrella. The new Cox rep division will be fairly small and won't support a major programming department, sources said. ■

# Fox debuts strong, CBS doesn't

*'Central Park West' goes south, finishing last in households and viewers 18-49*

By Steve Coe

**W**ith the new fall season under way, early returns show Fox continuing its growth from last season and CBS showing early warning signs that it is picking up where it left off last year.

As of last Thursday night, only NBC had yet to debut any new or returning shows for the 1995-96 season.

Fox had plenty to crow about as it successfully debuted its Saturday, Monday, Tuesday and Wednesday lineups. The premiere of the Saturday schedule Sept. 10 averaged a 5.9 rating/11 share at 8-10 p.m. in Nielsen household numbers. On the night, Fox topped all other networks in the key demographic groups and finished second in households in common time. The series debut of *The Preston Episodes* held its *Martin* lead-in and finished with a 5.6/11 in households.

Fox's Monday night lineup, which featured the season premiere of *Melrose Place* and debuts of *Partners* and *Ned & Stacy*, boosted the network to first place in adults 18-49 and 18-34 and third place in households at 8-10 p.m. *Melrose* averaged a 10.8/17, which represented the highest premiere numbers for the show in its four-year history. *Partners* pulled in a 7.5/12, and *Ned & Stacy* dropped only slightly with a 7.3/11. Both shows improved Fox's performance in the 9-10 p.m. time period over last season.

The debut of *Fox's Tuesday Night Movie* boosted the network's Tuesday movie average of last season by 22% in



**Highly anticipated drama 'Central Park West' trailed the competition**

rating and 30% in share.

Last Wednesday saw CBS's new Wednesday lineup taking on Fox's Wednesday schedule, which consisted of a two-hour season premiere of *Beverly Hills, 90210*. ABC also premiered two new comedies, *The Drew Carey Show* at 8:30 and *The Naked Truth* at 9:30.

CBS's performance on the night was crucial, given that it featured its highest-profile new comedy in *Bless This House* and one of its most anticipated new dramas in *Central Park West* from Darren Star. The network was beaten soundly, however, by both Fox and ABC, beating only NBC on the night in households and finishing fourth among adults 18-49.

*Bless This House* at 8 p.m. averaged a 7.5/13 and ranked third in the time period, while the first half-hour of *90210* averaged a 10.6/19. For its two hours, the Fox soap pulled in an 11.8/19 and an 8.5 rating among adults

18-49, putting it first in that demographic. ABC's *Drew Carey* finished second both in households and among adults 18-49 with a 10.8/18 and 7.2, respectively. At 9-10 p.m., *Central Park West* averaged a 7.5/12 in households and a 3.8 among viewers 18-49, finishing last in both categories. ABC's *The Naked Truth* pulled in a 12.7/20 and 8.3 in both categories and finished first in households and second in the demo group. The bright spot for CBS was the debut of *Courthouse*, which fared better by building on its lead-in to a 9.2/16 average at 10-11. The drama finished second both in households and among viewers 18-49.

UPN debuted its Monday schedule on Aug. 28 and its Tuesday lineup on Aug. 29 with a two-hour premiere of *Live Shot*. In three airings, *Star Trek: Voyager* has averaged a 7.4/12 among Nielsen metered markets, while *Nowhere Man* at 9-10 p.m. has averaged 5.9/9. UPN's Tuesday schedule of *Deadly Games* and *Live Shot* has aired only twice since *Live Shot* preempted *Deadly Games* on Aug. 29. In its three telecasts, *Live Shot* averaged 3.2/5 at 9-10 p.m.; *Deadly Games*, 3.8/6.

WB has premiered its entire fall schedule. The network pulled in a 2.6/4 in national numbers for its Wednesday lineup last week, nearly equaling the ratings and share of the week before in its premiere on Sept. 6. Last Wednesday's numbers came despite going up against the premieres on Fox, CBS and ABC. The WB's Sunday night premiere on Sept. 10 averaged a 2.0/3. ■